

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DERRICK D. SMITH, #221124,)
Plaintiff,)
v.) CIVIL ACTION NO. 2:06-CV-1114-WKW
CAPTAIN NETTLES,)
Defendant.)

ORDER

Upon review of the file in this case, and for good cause, it is

ORDERED that on or before February 12, 2007 the plaintiff shall show cause why his complaint should not be dismissed for his failure to pay the initial partial filing fee in compliance with the orders entered in this case. In filing his response, the plaintiff shall advise the court of whether he authorized prison officials to withdraw funds from his prison account for payment of the initial partial filing fee or whether he has simply chosen not to submit the filing fee.

The plaintiff is **cautioned** that if he fails to file a response to this order the undersigned will recommend that this case be dismissed.

Done this 1st day of February, 2007.

/s/ Susan Russ Walker
SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE